

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LUCKY I. IROMUANYA,

Petitioner,

V.

ROBERT P. HOUSTON, Director of  
Nebraska Department of Correctional  
Services,

Respondent.

4:12CV3091

# MEMORANDUM AND ORDER

After careful consideration, the undersigned concludes that counsel should be appointed to represent the Petitioner regarding his petition for habeas corpus relief submitted pursuant to 28 U.S.C. § 2254. At this time, that appointment should be limited to submitting briefs. Furthermore, an amended briefing schedule should be issued inasmuch as counsel has now been appointed for Petitioner, Respondent has answered (filing no. 8), the state court records (filing nos. 12-14) have been filed and Respondent has filed a brief (filing no. 22). Therefore,

IT IS ORDERED that:

1. The Federal Public Defender for the District of Nebraska (or one of his assistants) is appointed to represent Petitioner. At this time, the appointment is limited to submitting briefs. The Clerk shall provide the Defender with a copy of this Memorandum and Order and the Defender or his assistant shall promptly enter an appearance.
2. The following briefing schedule is established:

- A. Petitioner shall file a brief responding to Respondent's brief (see filing no. 22) and addressing any other pertinent matter on or before the close of business on May 24, 2013.
  - B. Respondent shall file a reply brief on or before the close of business on June 7, 2013.
3. The Motion for Additional Time and Second Motion for Reconsideration of Court Appointed Counsel (filing nos. 31 and 32) are granted as provided herein but otherwise denied.

DATED this 19<sup>th</sup> day of March, 2013.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge